

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv505**

CHARLES EVERETTE HINTON,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
MICHAEL W. HENDERSON;)	
PETER S. GILCHRIST; TERESA)	
BROADWAY; and ANDREW)	
RUDGERS, Probation Officer,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the court on plaintiff's Motion for Discovery Materials and Interrogatories (#37). Such motion is premature as the time for discovery has not commenced and cannot commence until issue join and a Pretrial Order has been entered. Other than consensual discovery, the Local Civil Rules provide that "Court enforceable discovery does not commence until issues have joined and a Scheduling Order is entered." L.Cv.R. 16.1(F).

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion for Discovery Materials and Interrogatories (#37) is **DENIED**.

Signed: March 1, 2011

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

